

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BARBARA CONNICK

Plaintiff

v.

**CONTINENTAL CASUALTY
COMPANY**

Defendant

CIVIL ACTION NO.

04-12208-WGY

**PLAINTIFF'S MOTION TO EXTEND TIME TO RESPOND TO DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

Now comes Barbara Connick, plaintiff in the captioned matter, by her undersigned attorney and moves that she be allowed additional time to respond to defendant's motion for summary judgment. In particular plaintiff respectfully requests that the Court allow her until January 13, 2006 to file her opposition to the defendant's motion for summary judgment. As grounds for the granting of this motion plaintiff states:

1. In the case management scheduling order issued by the Court in this matter the deadline for filing of dispositive motions was set at January 13, 2006 with responses to be filed within fourteen calendar days thereafter.
2. Defendant filed a motion for summary judgment electronically on November 29, 2005.

3. Defendant had not yet responded to Plaintiff's First Set of Interrogatories and First Request for Production of Documents.
4. Receipt of defendant's response to plaintiff's discovery may assist her in the preparation of her response to the motion for summary judgment.
5. Defendant local issued five subpoenas duces tecum on December 5, 2005.
6. Defendant has requested that Plaintiff submit to an independent medical examination which request Plaintiff agreed to. Plaintiff has not yet scheduled that examination with the doctor chosen by defendant.
7. The undersigned counsel is a sole practitioner who is struggling to comply with the continuous and rigorous demands of the instant case as well as those of his other cases.
8. Defendants are represented by at least five attorneys.
9. Given the ongoing discovery that is continuing in this matter as outlined above there is no prejudice to defendant which would be occasioned by the granting of this motion.

WHEREFORE it is respectfully requested that the Court grant Plaintiff's request for additional time until January 13, 2006 to respond to Defendant's Motion for Summary Judgment.

CERTIFICATE PURSUANT TO LOCAL RULE 7, 1(A) (2)

Pursuant to LR 7.1(A) (2), the Plaintiff's undersigned counsel hereby certifies that prior to filing this motion, Plaintiff's counsel conferred with Catherine Nasser, one of the attorneys for the Defendant and attempted in good faith, but without success to resolve the matter in issue.

Respectfully submitted,

BARBARA CONNICK

By Her Attorney,

s/Howard I. Wilgoren
HOWARD I. WILGOREN,
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Boston, MA 02108
(617) 523 - 5233
BBO No. 527840

Dated: December 6, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon the attorney of record for each party by electronic filing.

s/Howard I. Wilgoren
HOWARD I WILGOREN